

## **KIRBY HILL AND DISTRICT PARISH COUNCIL STANDING ORDERS**

[adopted 14 January 2008. Revised May 2012]

Standing Orders KHPC.doc

### **MEETINGS**

1.
  - a. Meetings of the Council shall commence at 7.00pm unless the Council otherwise decides at a previous meeting.
  - b. The use of any recording equipment during Parish Council meetings is prohibited unless otherwise authorised by majority agreement of council members sitting.
  - c. Meetings should aim to be concluded before 9.00pm
  - d. Three members shall constitute a quorum.
  - e. If a quorum is not present when the Council meets the business not transacted at that meeting shall be transacted at the next meeting or at such a time as the Chairman may fix.
2. **The Statutory Annual Meeting**
  - a. in an election year shall be held on the Monday next following the fourth day after the ordinary day of elections to the Council.
  - b. in a non-election year shall be on the second Monday in May
3. **Additional Meetings** will normally be held in January, March, May, July, September and November. Meetings may be called by the Chairman at other times as necessary.
4. **The Annual Parish Meeting**, open to the participation of all electors to the five parishes which comprise Kirby Hill and District, will normally be held not more than one month prior to the Council's Statutory Annual Meeting and will be chaired by the Chairman of the Parish Council.

### **CHAIRMAN OF MEETING**

5. The person presiding at the meeting may exercise all the powers and duties of the chairman in relation to the conduct of the meeting.

### **PROPER OFFICER**

6. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council he/she shall be the Clerk. The Clerk shall also be the Responsible Finance Officer (RFO)

### **VOTING**

7.
  - a. Members shall vote by show of hands, or, if at least two members so request, by signed ballot.
  - b. If a member so requires, the clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
  - c. Subject to (d) and (e) below the Chairman may give an original vote on any matter put to the vote, and in case of an equality of votes may give a

casting vote even though he gave no original vote.

- d. If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
- e. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

## **ORDER OF BUSINESS**

(In an election year councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a proper officer previously authorised by the Council to take such declarations, before the statutory annual meeting commences)

- 8. **At each Annual Meeting the first business shall be**
  - a) To elect a chairman.
  - b) To receive the Chairman's declaration of acceptance of office or if not then received, to decide when it shall be received.
  - c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
  - d) To decide when any declaration of acceptance of office which have not been received as provided by law shall be received.
  - e) To elect a Vice-Chairman
- 9. **At every meeting other than the Annual Meeting** the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

The order of business shall be stated on an agenda paper, which shall be delivered to each member at least three clear days before the date of the meeting along with the summons convening the meeting.
- 10. **After the first business has been completed**, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
  - a) To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
  - b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
  - c) To deal with business expressly required by statute to be done.
- 11. **A motion to vary the order of business** on the ground of urgency
  - a) may be proposed by the Chairman or by any member and, if proposed by

the Chairman, may be put to the vote without being seconded, and  
b) shall be put to the Vote without discussion.

### **RESOLUTIONS MOVED ON NOTICE**

12. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.
13. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given.
14. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

### **RESOLUTIONS MOVED WITHOUT NOTICE**

15. Resolutions may be moved without notice on procedural matters, or to vary the order of business on the grounds of urgency. Such resolutions shall be put to the vote without discussion.

### **RESCISION OF PREVIOUS RESOLUTIONS**

16. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the names of at least three members of the Council.

When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

### **RULES OF DEBATE**

17. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
18. A resolution or amendment shall not be discussed unless it has been proposed [and seconded], and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.

### **CLOSURE**

19. A motion of closure of a debate may be moved at any time, but must be proposed and seconded without comment. The Chairman may refuse such motion if he/she feels that the question before the Council has not been sufficiently debated.

## **DISORDERLY CONDUCT**

20. (a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (a) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named to leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- (c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

## **DISCUSSIONS AND RESOLUTIONS Affecting Employees of the Council**

21. If at a meeting there arises any question relation to the appointment, conduct, promotion, dismissal, salary or condition of service, of any per son employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded. (See Standing order No.40).

## **SEALING OF DOCUMENTS**

22. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by resolution.

## **ACCOUNTS AND FINANCIAL STATEMENT**

23. a) Except as provided in paragraph (b) of this Standard Order or by statute, all accounts for payments and claims upon the Council shall be laid before the Council.
- (b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Clerk to the Council. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Clerk after consultation with the Chairman or Vice-Chairman of the Council.
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council. See also Standing Order 31.
24. The Clerk shall supply to each member at the ordinary meeting next after the end of each Financial Year a statement of receipts and payments for that year.
25. The Clerk will maintain proper records of all transactions on a receipt and payment basis. The Clerk will prepare half yearly, a statement of income and expenditure for submission to the Council at the November meeting. Full

annual accounts will be prepared and submitted to the Council as soon as possible after the financial year ends.

26. The Clerk is responsible for the preparation of the annual budget for approval by the Parish Council. Revenue and capital budgets will be prepared where necessary.
27. The full Council will consider, approve, and adopt the budget and authorise the issue of a precept upon the District Council at its November meeting.
28. The Clerk will be responsible for ensuring that the Parish Council comply with the accounts and audit regulations 1996 or any amendment thereof including making available for 15 working days prior to audit the accounts and other documents required for the accounts prior to audit.

### **CONTRACTS**

29. In respect of the supply of goods or services or materials or the execution of works, the Clerk shall seek to obtain competitive quotations. For values of £500 to £2000 a minimum of two quotations and for values of £2000 to £10000 three quotations are required.

Acceptance of quotations shall be by resolution of the Council. The Council shall not be bound to accept the lowest tender.

### **INSURANCE**

30. The Council shall maintain insurance cover for the risks it considers appropriate but shall, as a minimum cover, include for Public liability, Employers Liability, Money and Fidelity Guarantee.

### **EXPENDITURE**

31. Orders for the payment of money shall be authorised by resolution of the Council and cheques/stubs signed by the Chairman and one other (mandated) member as well as by the Responsible Finance Officer (Clerk).

### **INTERESTS**

32. The Clerk shall record in a book to be kept for that purpose, particulars of a notice given by any member or officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours for the inspection of any member. The Clerk shall also record the receipt by councillors of any gifts in excess of £25 value and made to them as councillors.
33. Where a councillor has any prejudicial interest in any business of the Council, he/she may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for

the same purpose, whether under statutory right or otherwise. (paragraph 12(2) Model Code of Conduct 2007)

34. **All councillors are personally responsible for updating the information about them on the Register of Interests, through the Clerk.**

#### **INSPECTION OF DOCUMENTS**

35. All documents in the Clerk's possession shall be available for inspection by any member of the Council for the purposes of his/her duty as such (but not otherwise)
36. All Minutes kept by the Council and by any Committee shall be open to inspection by any member of the Council

#### **UNAUTHORISED ACTIVITIES**

37. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:
- (a) inspect any lands or premises which the council has a right or duty to inspect: or
  - (b) issue orders, instructions or directions unless authorised to do so by the Council.

#### **CONFIDENTIAL BUSINESS**

38. No member of the Council shall disclose to any person, not being a member of the Council, any business declared to be confidential by the Council.

#### **COUNTY AND DISTRICT COUNCILLORS**

39. County and District Councillors who are not also Parish Councillors, shall be invited to attend meetings and be sent copies of agendas, minutes and other relevant documents. They may be allowed to speak at the discretion of the Chairman.

#### **ADMISSION OF THE PUBLIC AND PRESS**

40. The public shall be admitted to all meetings of the Council [and its committees and sub-committees], which may, however, temporarily exclude the public by means of the following resolution.

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw”.

(Notes : The special reasons should be stated. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution passed.)

41. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
42. Members of the public may speak if invited to do so by the Chairman at the beginning of the meeting. No member of the public will be entitled to speak for more than 3 minutes. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the Council Meeting Room.
43. The Council may also invite speakers to address the meeting before commencement of business for periods at the discretion of the Chairman

#### **PLANNING APPLICATIONS**

44. a)The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
  - (i) the date on which it was received.
  - (ii) the name of the applicant.
  - (iii) the place to which it relates.
  - (iv) a summary of the nature of the applications.
- b)The Clerk shall refer every planning application to the Council. If deadline for comment is before the next ordinary meeting the Chairman may call a special sub-committee meeting or the Clerk shall arrange to receive the comments of at least a quorum, to include those councillors to whose parish the application relates.
- c)The Clerk will notify the planning authority of the Council's agreed comments on each application.

#### **CODE OF CONDUCT ON COMPLAINTS**

45. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in Circular 2/86 issued by the National Association of Local Councils.

#### **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

46. A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

#### **STANDING ORDERS GIVEN TO MEMBERS**

47. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office.